

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE DISTRICT COUNCIL 9 PAINTING
INDUSTRY INSURANCE AND ANNUITY FUNDS,

Plaintiffs,

-against-

BESSER & SONS DRYWALL INC.,

Defendant.

Index No. 07-CTV-7451 (KMK)

CLERK'S CERTIFICATE

I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that the docket entries in the above-entitled action indicate that this action commenced on August 22, 2007 with the filing of the Summons and Complaint; a copy of the Summons and Complaint was served on defendant via Secretary of State on September 5, 2007 and proof of such service thereof was filed on September 11, 2007.

I further certify that docket entries indicate that the Defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendant is hereby noted.

Dated: White Plains, New York
2007

J. MICHAEL MCMAHON
Clerk of the Court

By: _____
Deputy Clerk